

AIRPORT LAND USE COMMISSION

Appv 6-15-05/cm

May 18, 2005

Minutes of the Regular Meeting of the Airport Land Use Commission held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 1:30 p.m.

PRESENT: COMMISSIONERS JAMES GLEIM, JIM HEGGARTY, TERRY ORTON, RICHARD POTTRATZ, ROBERT TEFFT, AND CHAIRMAN ROGER OXBORROW

ABSENT: COMMISSIONER GERRIT VANDERZIEL

STAFF: BILL ROBESON, AIRPORT LAND USE COMMISSION PLANNER

The meeting is called to order by Chairman Oxborrow.

The following action minutes are listed as they were acted upon by the Airport Land Use Commission and as listed on the agenda for the Regular Meeting of May 18, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

ROLL CALL

Chairman Oxborrow questions if there are any changes to the agenda with Staff responding no.

PUBLIC COMMENT PERIOD:

Keith Rodgers, Grover Beach resident and owner of Idlers Appliance Business, states he has property on Suburban and Tank Farm Road in escrow for a proposed showroom and warehouse facility. He discusses zoning and occupancy limits, other businesses around this location, operations of their company and questions if the ALUC would consider increasing the occupancy limits in this area.

Chairman Oxborrow responds this issue will be included in the agenda discussion of the recommended amendments to the San Luis Obispo ALUP (Airport Land Use Plan).

1. **Minutes** of April 20, 2005, are presented. **Thereafter, on motion of Commissioner Heggarty, seconded by Commissioner Orton, and carried, in the absence of Commissioner Vanderziel, the minutes of April 20, 2005, are approved as presented.**
2. **Staff Updates**
 - a. Expiration of the Airport Land Use Commission (ALUC) seat, held by Commissioner Gleim is still awaiting appointment by the Board of Supervisors (BOS); Commissioner Gleim is seeking reappointment.

Bill Robeson states the ALUC seat held by Commissioner Gleim is still waiting scheduling on the Board of Supervisors (BOS) agenda for appointment or

reappointment per the BOS decision.

- b. Status of the appeal to the California Coastal Commission regarding the Oceano Pavilion/Mueller project.

Bill Robeson states the above item is an ALUC appeal only to the California Coastal Commission (CCC), the County is not involved in the appeal correspondence, and the CCC is still reviewing this matter.

Commissioner Tefft questions if there has been a hearing date for the appeal set by the CCC.

Bill Robeson responds that no CCC hearing date has been set. He further explains the contact information and states he will forward any hearing information on to the ALUC that he may receive.

- c. Bill Robeson states a supplemental EIR (Environmental Impact Report) has been formulated and is being circulated for review and comment for the SLO Airport Terminal building, parking building and access road. He states construction is projected to occur in the next couple years.
- d. Update on the ACOS (Airport Compatible Open Space Plan) process by the City of San Luis Obispo (SLO).

Bill Robeson defers to City staff for further update information on the ACOS.

Michael Draz, City of San Luis Obispo/Deputy Director of Long Range Planning, states the ACOS was accepted at last night's City Council meeting (May 17, 2005) and the review process is done.

- 3. This being the time set for hearing to consider a referral from the **CITY OF SAN LUIS OBISPO** (Buzz Kalkowski, Staff Planner; Application Number PD43-05 Walter Brothers Center, South Higuera and Prado Road) for a mandatory determination of consistency or inconsistency with the San Luis Obispo Airport Land Use Plan for a Zoning Ordinance Amendment. This amendment applies only to the subject parcels and proposes to allow 3 currently prohibited uses (prohibited by the city of San Luis Obispo's Zoning Ordinance). The 3 uses are: Banks/Savings and Loans, Broadcast Studios, and Laboratories – Medical/ Analytical. No new development is proposed. The uses will take place in existing office buildings on the site that total 126,363 square feet. The subject site is made up of four parcels totaling 13.5 acres and is located in the city of San Luis Obispo (SLO), at the corner of Prado Road and South Higuera Street.

Bill Robeson describes the above project with overhead displays, discusses proposed uses, the City's zoning ordinance, states no new development is proposed, and proposed uses will take place in the existing structures. He recommends a finding of consistency based on criteria in Table 10 of the ALUP, applicable policies that are being met, and states he is available for questions.

Commissioner Gleim questions if the ALUC finds this proposal consistent can the City still deny the project, with staff responding yes.

Michael Codron, City Planner, states they support Staff's recommendation for approval. He gives a background description of the project, the ordinance the City has for special uses, and explains how the applicant wants to add uses. He states this is a mandatory referral to the ALUC for the ordinance change, and this proposal involves no changes to the buildings or density.

Commissioner Heggarty questions if the original purpose of this area was to keep all of social services together.

Michael Codron responds it was the original intention to keep all the uses together, but changes have moved many of the offices to different locations.

Commissioner Tefft feels the density is appropriate; notes his concerns with broadcast studios and possible tall towers, and potential conflict with overflight noise. He recommends the addition of three conditions from the ALUP be added to this project.

Michael Codron states these conditions can be attached to the use permit; and notes the City's height limit for this project is 45 feet.

Commissioner Pottratz states according to the ALUP, no conditions can be added.

Bill Robeson discusses attaching conditions to a mandatory referral.

Michael Codron states that all the City's permit requirements are usually listed on the permit as a code requirement.

A motion by Commissioner Pottratz, seconded by Commissioner Orton, to find the above project consistent with the San Luis Obispo County Regional ALUP as recommended by Staff is discussed.

Commissioners discuss the inclusion of additional conditions and agree the project will go forward in the motion without the recommended additional conditions.

Matter is fully discussed, thereafter, on motion of Commissioner Pottratz, seconded by Commissioner Orton, and carried, in the absence of Commissioner Vanderziel, this commission determines that the above referenced project is consistent with the San Luis Obispo County Regional Airport Land Use Plan, and is referred back to the City of San Luis Obispo, based on recommendations in the staff report. (Document 2005-005)

4. This being the time set for hearing to consider a referral from the **CITY OF SAN LUIS OBISPO** (Michael Codron, Associate Planner) for a mandatory determination of consistency or inconsistency with the San Luis Obispo Airport Land Use Plan for of the **Draft Airport Area Specific Plan (DAASP)**. The Airport area is approximately 1,000 acres, and located about 2.5 miles south of the downtown of San Luis Obispo, within the city's urban reserve.

Bill Robeson describes the above project with overhead displays, discusses the concerns raised with the runway flight paths, and notes the removal of a portion of the proposed wetlands expansion. He discusses potential issues listed in the staff report regarding density, detailed area plans, child or elder care facilities, and the memo from

the City regarding child-care facilities attached to businesses. He further discusses caretaker's quarters, recommends a finding of consistency and states he is available for questions.

Commissioner Pottratz discusses caretaker unit zoning districts.

Michael Codron, City Planner, discusses the City history and process to prepare the update of this document in order to be consistent with the SLO ALUP. He states he agrees with Staff's recommendation and hopes the ALUC will find this document consistent and/or recommend any changes.

Public comment: no one comes forward.

Chairman Oxborrow addresses the concerns listed in the staff report.

Bill Robeson uses an overhead display to show the wetland areas, describes the Business Park area and other uses within the plan, and notes all the references to the ALUP within this Area Specific Plan.

Commissioner Tefft states he has several concerns and Chairman Oxborrow discusses the approach to address the concerns listed by staff. Commissioner Tefft feels there are issues with the Clustered Development Plans and discusses concerns with slipping out of compliance with the Openspace requirements (referencing page 3-16).

Michael Codron explains the policy and wording to address Commissioner Tefft's concerns, discusses the purpose of the language provided by Unocal and notes he is not sure how the studies will proceed in the Tank Farm Road area. He states Unocal asked to include this procedure in the document for the process of future development and addressing Openspace.

Commissioner Tefft further discusses and recommends conditions for the protection of Openspace and references to ACOS (Airport Compatible Openspace Plan). Michael Codron accepts the recommendations.

Bill Robeson discusses childcare facilities in the Business Park area (northeast of Airport) with restrictions that this should only be for people that work there and anything larger than 14 would need to go before the City Planning Commission. He states he does not see real issues with it and wants to make sure the ALUC is not opposed.

Commissioners further discuss childcare facilities, safety concerns, and caretaker quarters.

Bill Robeson states the ALUC has not wanted caretaker quarters in the past; states it does not meet the ALUP requirements and should be prohibited.

Michael Codron describes the criteria for caretaker dwellings, states they will be employed on site and are needed for security services.

Commissioners, Bill Robeson, and Michael Codron further discuss criteria and restrictions for caretaker dwellings.

Michael Codron makes recommendations to regulate caretaker dwelling concerns depending on the safety zones and area limits.

Commissioners discuss limiting the size of the caretaker units, criteria in the ALUP Table 10 with consensus by the Commissioners to limit a Caretakers unit to a maximum floor area of 1000 square feet and to prohibit Caretaker units in Airport Land Use Plan Aviation Safety Areas S-1a or in the Runway Protection Zone.

Michael Codron agrees to include this restriction in the DAASP.

Commissioners further discuss issues with the wetland expansions and suitable buffers. Commissioner Tefft recommends language to ensure protection of Airport Operations, discusses issues with wildlife attractants (referencing page 3-12), requests adding a measure to ensure that wetlands will not be added, and additional language for suitable buffers for aviation safety. Commissioner Orton questions the possibility of expansion of the wetlands by the Corps of Engineers if Unocal decides to develop their property.

Michael Codron responds he consulted with the Resource Management and the FAA (Federal Aviation Administration) regulations and feels there is no proposed habitat that would impact airport operations. He discusses the multi-agency review, feels the language by Commissioner Tefft is fine, and discusses evaluation of Airport compatibility.

Commissioners further discuss concerns and recommended changes to the DAASP as follows:

Page 3-10, last paragraph: Commissioner Pottratz discusses the language changes with reference to Openspace;

Page 3-12 Policy 3.2.5: recommends adding criteria (6) to the end of the policy to address concerns for wetland expansion and airport safety;

Page 3-16, Section 3.2.24: concerns with Cluster Development Zones;

Page 4-5, sentence 1: correction to the word 'airport' and check numbering on Figures 4-1 and 4-2;

Page 4-7: recommended language changes regarding the former Tank Farm Road sight and concerns with ACOS and Openspace requirements for clustered development;

Page 4-12, Policy 4.33 Airport Area Development: Commissioner Pottratz recommends a sentence change and clause that is not needed;

Page 4-13: replace Program 4.3.9 with Policy 4.3.9;

Page 4-14 Table: regarding noise sensitive uses; Commissioner Tefft requests a foot note for noise mitigation;

Page 4-15: recommended changes to the size of the Caretaker units;

Page 4-19: Commissioner Tefft recommends a footnote for note item no.6 regarding broadcast transmission obstruction and height limitations;

Page 4-21, under 4.4.6 Building Heights and Table 4.9: Commission Tefft recommends adding a sentence to address building heights, and reference to the ALUP imaginary surfaces criteria for more restrictive standards. Commissioner Pottratz comments on Tables 4.5 and 4.6 with allowed density references and recommends language changes;

Page 4-23, Policy 4.5.1: recommends language to protect Openspace in Cluster Development Zones and spelling error to "Airport" in first sentence of last paragraph;

Page 4-24, Figure 4-5: recommends language changes for density definitions for a nautical mile from the runway and that all maps have updated Airport property boundaries;

Page 5-28, Standards 5.11.1: Commissioners recommend the building heights reference to Table 9 be corrected.

Commissioners further discuss Cluster Development Zone issues, guarantees for protection 'in perpetuity of the airport', concerns with possible Unocal development of other surrounding land, and added language for Openspace protection. Commissioners question the City's procedure for the recommended changes by the ALUC today.

Michael Codron responds with the timeframes for the draft document going before the City Council in June. He discusses the process for making the document changes recommended by the ALUC today, and states the final document publication will not be coming back to the ALUC as a referral unless City council makes significant changes. He states he will compile the list of recommended changes today and submit them for review to the ALUC secretary before the June ALUC meeting.

Matter is further discussed, thereafter on motion of Commissioner Orton, seconded by Commissioner Tefft and carried in the absence of Commissioner Vanderziel, to continue the above matter to the June 15, 2005 Airport Land Use Commission meeting and have the City of San Luis Obispo bring forward the changes to the Draft Airport Area Specific Plan (AASP) agreed upon today for action at that time.

Meeting break: 3:10 to 3:25 p.m.

5. Hearing to consider a proposal by the **SAN LUIS OBISPO COUNTY AIRPORT LAND USE COMMISSION** for the purpose of adopting proposed amendments to the San Luis Obispo County Regional Airport Land Plan (ALUP) for the San Luis Obispo County Regional Airport. The proposed ALUP Amendment represents a further refinement of the ALUP and adapts the document to the specific needs of the San Luis Obispo area, while maintaining the purposes, intent, and structure required by the *California Airport Land Use Planning Handbook* (prepared and distributed by the Division of Aeronautics of the State of California Department of Transportation). The goals and changes enacted by this Amendment include:
 - Providing local agencies with a greater degree of flexibility in planning for development within the Airport Planning Area, while adequately minimizing exposure of persons on the ground to excessive aviation-related noise impacts and safety risks to persons and property on the ground;
 - Allow for greater policy consistency between the ALUP and local government documents.
 The project is located at San Luis Obispo County Regional Airport, within the Airport Land Use Planning Area boundaries, and in the City/County of San Luis Obispo. Also to be considered at the hearing will be a Negative Declaration Addendum to the 2004 ALUP Negative Declaration, pursuant to the California Environmental Quality Act Guidelines Section 15164 et seq. (Bill Robeson, Planner/County of San Luis Obispo)

Bill Robeson describes the above item and defers to Commissioner Tefft for his ALUP amendment recommendations included in today's agenda.

Chairman Oxborrow discusses questions he has with recommended changes to Section 2.8.1. Commissioner Tefft suggests omitting pages 5-1 through 5-18 that were brought forward from the April 20th ALUC meeting in the agenda packet; Commissioners agree. Commissioners agree on the changes recommended listed in the agenda packet with additional changes to Page 5-35, replacing the last paragraph with recommended

language submitted by Commissioner Tefft today (Exhibit A). Commissioners further discuss recommended language changes by Commissioner Pottratz to page 5-35, sentence 1.

Michael Codron discusses the example raised by Commissioner Pottratz regarding the project proposal for replacing mobile homes with residential single-family dwellings. He comments on the amendments that would need to be considered for redevelopment projects, on noise impacts, density with dwellings per acre, and the development review process concerns with consistency. (He submits and references Exhibit B: Parcels in city Airport compatibility Planning Area with 8+ Dwellings.) He discusses discretionary review by the ALUC and requests using revised amendments proposed by the Subcommittee regarding residential density.

Michael Drazé, City of San Luis Obispo/Deputy Director of Long Range Planning, his legal concerns with meeting state laws and having different application requirements for mobile homes. Commissioners further discuss concerns with mobile home requirements. Commissioner Orton discusses working with existing development around airports and feels this is discriminatory to apply these recommended limitations to mobile homes.

Matter is further discussed, thereafter on by Commissioner Tefft to delete the last paragraph on page 5-22 and replace it with the 2nd paragraph of the suggested rewording for Change #23 (Exhibit A), deleting the first 4 words of the second paragraph "regardless of project size"; begin with "No redevelopment of...", seconded by Commissioner Orton and carried, with Commissioner Pottratz voting no and in the absence of Commissioner Vanderziel.

Mike Drazé comments on the above motion.

Matter is further discussed and Commissioners agree on the recommended language in agenda pages 5-20 through 5-36 and with pages 5-20 through 5-36 amended as follows:

- Page 5-21, item 14 should be corrected to read a scale of "1"=3100 feet";
- Page 5-22, last paragraph, delete and replace with language submitted by Commissioner Tefft (Exhibit A)
- Page 5-34, delete recommended changes to ALUP pages 24 and 26, Table 8 and paragraph 4.4.2.3 (b) regarding reserve space;
- Page 5-35, delete all recommended changes except those to: change 22, ALUP page 49, paragraph 6.2.2.b.iii: regarding parked vehicles;
- Page 5-36, delete all recommendations on this page.

Matter is fully discussed, thereafter on motion by Commissioner Tefft to approve the amendment as previously accepted to section 2.8.1 Change #3; is discussed.

Commissioner Tefft restates his motion to accept all of the changes today and include Change #25, which is to modify the Airport boundary; is discussed.

Thereafter Commissioner Tefft clarifies his motion to accept the San Luis Obispo County Regional Airport Land Plan (ALUP) Amendment Changes #1 through #25 with the exception of #16, #20 and #21 and with the modification previously approved to Change #3, Section 2.8.1 and #23 deleted, seconded by Commissioner Orton and carried, in the absence of Commissioner Vanderziel.

(Document 2005-2006)

Thereafter on motion by Commissioner Heggarty, seconded by Commissioner Tefft and carried, in the absence of Commissioner Vanderziel, to adopt the Negative Declaration Addendum to the 2004 San Luis Obispo County Regional Airport Land Plan (ALUP) Negative Declaration, pursuant to the California Environmental Quality Act Guidelines Section 15164 et seq.

6. Airport Managers Committee reappointment of Airport Land Use Commissioner Roger Oxborrow.
Chairman Oxborrow notes the above reappointment by the Airport Managers Committee.
7. Nomination and Selection process for Chairperson and Vice Chairperson of the Airport Land Use Commission.

Commissioner Tefft nominates Roger Oxborrow to remain as Chairperson and Richard Pottratz remain as Vice-Chairperson of the ALUC. **Thereafter on motion of Commissioner Tefft, seconded by Commissioner Heggarty and carried, in the absence of Commissioner Vanderziel, to reappoint the current Chairperson, Roger Oxborrow and current Vice Chairperson, Richard Pottratz, for another (1 year) term on the Airport Land Use Commission.**

8. Chairman Oxborrow directs staff to bring forward the reconsideration of the Oceano resolution on a future agenda.

There being no further business, this meeting is adjourned to June 15, 2005, at 1:30 p.m., in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

Respectfully submitted,

Chris Macek, Secretary
Airport Land Use Commission